

BOARD OF ZONING APPEALS

CITY OF MILWAUKEE

REGULAR MEETING - December 2, 1999

City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT: **Chairman:** Craig H. Zetley (*voted on items 1-37*)
 Members: Henry P. Szymanski (*voted on items 2-32*)
 Scott R. Winkler (*voted on items 1-23*)
 Catherine M. Doyle (*voted on items 1-37*)
 Roy B. Nabors (*voted on items 1-37*)

Alt. Board Members: Georgia M. Cameron (*voted on items 33-37*)
 Donald Jackson (*voted on items 1, 24-37*)

Start time: 2:10 p.m. End Time: 5:20 p.m.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
1	22472 Special Use/Variance Granted 2 yrs.	Children First L.L.C., Property Owner By: Robb Marcus Request to occupy the premises as a shelter for 20 children, within 2500' of another one.	5926 N. Teutonia Ave. (9th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Board member Roy B. Nabors moved to grant the appeal. Seconded by Henry P. Szymanski

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the applicant form and maintain a neighborhood advisory committee which meets on a regular basis.
5. That a twenty-four (24) hour contact number be established and made available to the public.
6. That the facility is closed by 7 p.m.
7. That quarterly reports regarding the operation and status of the shelter are prepared and made accessalbe to the public.
8. That this Special use and this Variance are granted for a period of two (2) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
2	22566 Special Use Approved	Thomas E. Smith, Sr., Property Owner Request for resubmission to occupy the premises as a hand car wash facility.	1102 W. Atkinson Ave. (10th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to approve the request to be reheard. Seconded by Henry P. Szymanski.

3	22573 Change of Operator Granted	Boom, LLC, Prospective Owner By: David G. Panic Request for a change of operator to continue occupying the premises as a tavern.	625 S. 2nd St. (12th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Board member Roy B. Nabors moved to grant the appeal. Seconded by Henry P. Szymanski.

4	22570 Special Use Granted 10 yrs.	Deborah Walker and Carolyn Williams, Lessee d/b/a God's Care Child Center II Request to occupy the premises as a day care center for 20 children, ages infant to 12 yrs., from 6 a.m. to 6 p.m.	1306 W. Atkinson Ave. (1st) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Board member Roy B. Nabors moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the storefront windows must remain as clear glass and must be maintained in an attractive manner.
5. That signage must be limited to the sign band above the storefront windows.
6. That the operator comply with state commercial code for day care centers.
7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
5	22351 Special Use Granted 10 yrs.	Eddie Mae Martin and Lawrence Martin, Property Owner Request to occupy the premises as a day care center for 56 children, ages 3-6 yrs., from 6AM to 11:30PM.	4502 N. Teutonia Ave. (1st) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Board member Roy B. Nabors moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That two (2) parking stalls on site are specifically dedicated for parent's vehicles.
5. That all on-street parking restrictions are complied with for any parent, employee, or other transport vehicles associated with this use.
6. That the boarded storefront windows must be restored to clear glass and must be maintained in an attractive manner.
7. That signage must be limited to the sign band above the storefront windows.
8. That the operator comply with state commercial code for day care centers.
9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

6	22523 Variance Adjourned	James C. Bufford, Property Owner d/b/a Christ Tabernacle Church Request to occupy the premises as a day care center for 23 children, ages 2yrs.-6yrs, from 6 a.m. to 6 p.m..	5865 N. 75th St. (2nd)
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This item was adjourned at the request of the an interested party and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
7	22579 Variance Granted	1300 Broadway, LLC, Property Owner By: Karl Lusi Request to construct an office building on the premises without the required parking.	310 E. Knapp St. (4th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Board member Roy B. Nabors moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted to run with the land.

8	22023 Special Use Granted 1 yr.	Towne Realty, Inc., Property Owner By: Thomas G. Bernacchi Request to continue occupying the premises as a parking lot.	1133 N. 5th St. (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Roy B. Nabors moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That all previous conditions of the Board regarding this property are maintained.
5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
9	22557 Variance Granted 10 yrs.	Andrew Anderson, Lessee d/b/a Milwaukee Pet Supplies Request to occupy the premises as a pet supply store.	1000 E. Center St. (6th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Board member Roy B. Nabors moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations, including the provision that outdoor storage is not permitted.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That a special privilege is obtained from the City for all existing encroachments into the street right-of-way.
5. That curb, gutter, and sidewalk are restored at the westerly driveway on E. Center Street where site access has been eliminated.
6. That signage is limited to 17.5 square feet.
7. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

10	22576 Special Use Granted 10 yrs.	Mark Kivley, Property Owner d/b/a Kivley Investments, LLC Request to remodel two floors of existing apartment units and construct one additional unit on the first floor of the premises.	2107-11 N. Martin L King Dr. (6th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Board member Roy B. Nabors moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That all stormwater drainage from the parking lot to be paved is contained on site and drained by means of an appropriate storm sewer connection.
4. That this Special Use is granted for a period of ten (10) years, commencing with the date

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
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hereof.

11	22527 Special Use Granted 10 yrs.	Jason C. Shandor, Lessee d/b/a Extreme Motorsports Request to occupy the 3rd floor of the premises as a motor vehicle sales office.	324 W. Cherry St. (6th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Board member Roy B. Nabors moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

12	22569 Special Use Adjourned	Kindergarten Plus, Lessee By: Synovia Youngblood Request to occupy the premises as a day care center and elementary school for 19 children, ages 6wks-12yrs, from 3 p.m. to 12 a.m. M-F and 6 a.m. to 12 a.m. on weekends.	3201 N. 40th St. (7th)
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This item was adjourned at the request of the Alderman and will be rescheduled for the next available hearing date.

13	22574 Special Use Adjourned	The North Ave. Commerce Center Phase II, LLC, Property Owner d/b/a H&R Block By: David Merrick Request to occupy the premises as an office.	2349 N. 25th St. (7th)
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This item was adjourned at the request of interested party and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
14	22442 Special Use Granted 10 yrs.	Heaven Sent Day Care, Prospective Buyer d/b/a Heaven Sent Day Care By: Terry Taper Request to occupy the premises as a day care center for 50 children, ages 6 wks. to 12 yrs., from 6:00 a.m. to 12:00 a.m.	4300 W. Burleigh St. (7th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Board member Roy B. Nabors moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That a loading zone of a minimum length of sixty (60) feet is applied for and maintained on W. Burleigh Street for child drop-off and pick-up.
5. That the day care sign is located on site behind a twenty-five (25) foot vision setback line at the corner of W. Burleigh Street and N. Sherman Boulevard.
6. That a written agreement must be submitted which authorizes the appellant to use the adjacent property for an outdoor play area. This agreement must remain in effect for the duration of the special use.
7. That the operator comply with state commercial code for day care centers.
8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
15	22565 Special Use Granted 10 yrs.	Neal Levin, Lessee d/b/a Four Seasons Skate Park of Milwaukee Request to occupy a portion of the premises as a recreational facility.	200 N. 25th St. (8th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Board member Roy B. Nabors moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

16	22541 Special Use Granted 10 yrs.	Darren C. Woods, Lessee Request to occupy the premises as a re-sale store.	6555 N. Teutonia Ave. (9th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Board member Roy B. Nabors moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the storefront windows must remain as clear glass and must be maintained in an attractive manner.
5. That signage must be limited to the sign band above the storefront windows.
6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
17	22546 Variance Granted 10 yrs.	J.T. Johnson, Lessee Request to occupy the premises as a grocery store.	3293 N. 14th St. (10th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Board member Roy B. Nabors moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the signage is limited to 17.5 square feet.
5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
18	22491 Special Use Granted 10 yrs.	Ellise Elim, Lessee d/b/a Little Playmates Child Learning Center Request to occupy the premises as a day care center for 23 children, ages 6 wks. to 5 yrs., from 6 a.m. to 6 p.m..	2220 W. National Ave. (12th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Board member Roy B. Nabors moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That a loading zone of a minimum length of 30 feet is applied for and maintained adjacent to the building entrance for child transportation to and from the site.
5. That the boarded storefront windows must be restored to clear glass and must be maintained in an attractive manner.
6. That signage must be limited to the sign band above the storefront windows.
7. That the operator complies with state commercial code for day care centers.
8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
19	22577 Variance Adjourned	Commonwealth Medical Group, Prospective Owner By: Daniel J. Walsh Request to construct a parking lot on the premises.	4635 S. 23rd St. (13th)
This item was adjourned at the request of an interested party and will be rescheduled for the next available hearing date.			

20	22578 Variance Granted	Paul and Jeanne Troglia, Property Owner Request to construct a porch addition to the rear of the dwelling unit.	2895 S. Wentworth Ave. (14th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Board member Roy B. Nabors moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That a special privilege is obtained from the City for all encroachments into the public right-of-way.
5. That this Variance is granted to run with the land.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
21	22571 Special Use Granted 10 yrs.	McArthur Love, Lessee d/b/a Love Child Liquor Mart Request to occupy the premises as a retail sales (liquor) store.	3013 W. North Ave. (17th) Ayes: 4 Nays: 1 Catherine M. Doyle Abstain: 0

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the easterly driveway on W. North Avenue be eliminated, with curb, gutter and sidewalk restored as required by City Ordinance.
5. That all parking stalls on site be delineated with permanent pavement markings in a manner consistent with the site plan as submitted.
6. That landscaping and screening plans must be submitted which meet the intent of s.295-75 and must include an urban edge treatment. The plans must include plant types and a landscaping maintenance agreement.
7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
22	22190 Special Use Granted	Covenant Child Care Christian Center, Lessee By: Bobby Armon Request to occupy the church basement as a day care center for approximately 40 children, infant to 10 years, Monday through Friday, from 6:00 a.m. to 12:00 a.m.	5900 W. Center St. (2nd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved grant the appeal. Seconded by Scott R. Winkler

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the operator comply with the state commercial code for day care centers.
5. That the appellant provides a fenced outdoor play area on site.
6. That the play area not be used after 7:00 p.m.
7. That this Special Use is granted commencing with the date hereof and expiring, June 23, 2008.

23	22509 Variance Dismissed	Annette Ferosie, Property Owner Request to construct a detached garage in the rear of the premises.	2704 E. Locust St. (3rd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Roy B. Nabors moved to dismiss the appeal. Seconded by Catherine M. Doyle.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
24	22534 Special Use Granted 5 yrs.	Andy Santiago, Lessee d/b/a Ryder TRS Request to occupy the premises as a motor vehicle rental facility.	3830 N. Holton St. (3rd) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Board member Roy B. Nabors moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That landscaping and screening plans for the southern portion of the site be submitted to DCD Planning Administration.
5. That the fence be repaired along the southeastern portion of the site.
6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
25	22539 Special Use Granted 1 yr.	Epa LLC, Property Owner Request to construct a parking lot on the premises.	511 N. Broadway (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Catherine M. Doyle moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That site illumination is to be controlled to prevent glare onto adjacent streets and residences.
5. That signage is to be limited to a maximum of fifty (50) square feet.
6. That landscaping and screening meeting the intent of s.295-75 is installed.
7. That the site is landscaped and screened in accordance with plans approved by the Historic Preservation Commission staff.
8. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
26	22538 Special Use Granted 1 yr.	Uihlein Properties LLC, Property Owner Request to construct a parking lot on the premises.	503 N. Broadway (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Catherine M. Doyle moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That site illumination is to be controlled to prevent glare onto adjacent streets and residences.
5. That signage is to be limited to a maximum of 50 square feet.
6. That landscaping and screening meeting the intent of s.295-75 is installed.
7. That the site is landscaped and screened in accordance with plans approved by the Historic Preservation Commission staff.
8. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
27	22563 Special Use Granted 10 yrs.	Boys and Girls Club, Request to construct an office building on the premises.	1537 N. 5th St. a/k/a 1558 N. 6th St. (6th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That the proposed stairs to be located adjacent to the N. 6th Street entrance be removed from the right of way in their entirety.
5. That any plant materials to be placed within the street right of way must be approved by the City Forester prior to installation.
6. That site illumination must be controlled to prevent glare onto adjacent streets and residences.
7. That any signage along the N. 6th Street frontage of the site must be limited to a maximum of forty (40) square feet.
8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
28	22418 Variance Granted 10 yrs.	Al Talyansky, Property Owner d/b/a Mid City Auto Salvage By: Al Talyansky Request to continue occupying the premises for the sale of new and used motor vehicle parts.	2431 N. 30th St. (7th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetly

Board member Catherine M. Doyle moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That all conditions of Decision No. 20740 are complied with in every respect except as otherwise amended herein.
5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

29	22443 Special Use and Variance Adjourned	Rev. William Gotay, Lessee Request to occupy the premises as a church without the required parking.	2690 S. 12th St. (8th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Roy B. Nabors moved to adjourn the appeal. Seconded by Henry P. Szymanski.

30	22556 Special Use and Variance Adjourned	Oliver F. Gardipee, Lessee d/b/a Frank's Auto Sales and Salvage Request to occupy the premises as a auto sales and salvage facility.	725 S. 1st St. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
31	22489 Variance Dismissed	Eller Media Company, Lessee By: Jason Saari Request to replace an existing off premise double faced pylon sign that is within 1000 ft. of another off premise sign and adjacent to the freeway.	901 Adj. W. Grange Ave. (13th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to dismiss the appeal. Seconded by Catherine M. Doyle.

32	22584 Variance Granted 10 yrs.	Westmont Hospitality Group, Property Owner By: Michael Dlugi Request to construct a 60' high ground sign on the premises.	6331 S. 13th St. (13th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
33	22452 Special Use Granted 5 yrs.	Pakhar Singh, Property Owner Request to continue occupying the premises as a motor vehicle pumping station.	110 E. Layton Ave. (13th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Donald Jackson moved to grant the appeal. Seconded by Georgia M. Cameron.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the landscaping and screening are upgraded meeting the intent of s.295.75.
5. That all recommendations of the Traffic Engineer, including those recommendations from the letter dated December 29, 1994, are complied with within six (6) months of the date hereof.
6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

34	22592 Variance Granted	Michael and Heidi Brandt, Property Owner Request to construct an office building on the premises without the required setback.	8739 W. Lynx Ave. (15th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Catherine M. Doyle moved to grant the appeal. Seconded by Donald Jackson.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That all parking areas are paved in accordance with City code.
5. That the landscaping and screening must meet the intent of city code requirements for outdoor storage facilities.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
	6.	That this Variance is granted to run with the land.	
35	22477 Special Use Granted 2yrs.	Dawes Rigging & Crane Rental, Lessee By: Wayne Kokta Request to occupy the premises as a contractors yard with outdoor storage.	7025 W. Main St. (16th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Catherine M. Doyle moved to adjourn the appeal. Seconded by Georgia M. Cameron.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That only the eastern access point is used to the site.
5. That no more than 5 vehicles access the site per day.
6. That all the equipment be stored on the southern portion of the site.
7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
36	22449 Special Use Granted 5 yrs.	Julia Williams, Prospective Owner d/b/a Accent Children Request to occupy the premises as a day care center for 35 children, ages 6wks. to 12yrs., from 6AM to 8PM.	4702 W. Vliet St. (16th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Catherine M. Doyle moved to grant the appeal. Seconded by Donald Jackson.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That some type of physical barrier is installed between the parking lot and the street right-of-way.
5. That permanent pavement markings are installed on the parking lot to delineate all parking stalls indicated on the site plan.
6. That the parking layout must be revised to provide adequate length to the parking stalls, an adequate aisle and a landscaping and screened setback, which meets the intent of s295-75.
7. That parking on this site is to be used only for this proposed day care center and is not to be shared with any other day care centers in the area.
8. That all on-site parking is maintained to support the day care center on the premises.
9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
37	22407 Special Use Granted 1 yr.	Mary Elam, Property Owner Request to occupy the 1st & 2nd floors of the premises for a day care center for 40 children, ages 6 wks. to 12 yrs., from 6AM to 8PM.	4716-18 W. Vliet St. (16th) Ayes: 4 Nays: 1 Catherine M. Doyle Abstain: 0

Roy B. Nabors moved to grant the appeal. Seconded by Donald Jackson.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the operator comply with State commercial code for day cares.
5. That the play area be graded where possible to reduce the steep slope.
6. That signage is to be limited to a maximum of fifty (50) square feet and located in the sign band above the storefront windows.
7. That the storefront windows are to remain as clear glass and are to be maintained in an attractive manner.
8. That the appellant must submit documentation as to the availability of the number of parking spaces as recommended by the City's Traffic Engineer to support the day care center proposal.
9. That the day care center develop playspace acceptable to the Department of City Development.
10. That the day care center have a maximum of forty (40) participants consisting of ten (10) children, twenty-two (22) toddlers, and eight (8) infants.
11. That a permit for a retaining wall be applied for from the City.
12. That no occupancy permit be issued until all improvements to the site are completed.

Other Business:

Board member Scott R. Winkler moved to approve the minutes of the November 11, 1999 meeting. Seconded by Board member Roy B. Nabors. Unanimously approved.

The Board set the next meeting for December 16, 1999.

Board member Donald Jackson moved to adjourn the meeting at 5:20 PM. Seconded by Board member Roy B. Nabors. Unanimously approved.

BOARD OF ZONING APPEALS

By _____
Secretary